

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WESTFIELD INSURANCE COMPANY)	
)	<i>Plaintiff,</i>
)	
-vs-)	
)	
MAXIM CONSTRUCTION CORPORATION, INC.,)	No. 15 cv 9358
the CITY OF CRYSTAL LAKE, ENVIROGEN)	
TECHNOLOGIES, INC., and the LAKE COUNTY)	
PUBLIC WATER DISTRICT)	
)	
)	<i>Defendants.</i>

MOTION TO EXTEND TIME TO FILE AMENDED PLEADINGS

Now comes the Plaintiff, Westfield Insurance Company (“Westfield”), by and through its attorneys, David S. Osborne and Lauren E. Rafferty of Lindsay, Rappaport & Postel, LLC, and for its Motion to Extend the Time to File Amended Pleadings, states as follows:

1. On September 15, 2016, the parties requested leave from this Court to amend their pleadings.
2. That same day, the parties were granted such leave to file their amended pleadings within thirty days. [Doc. 47].
3. The parties so requested because the underlying case is nearing an imminent conclusion, with a final default judgment against Maxim Construction Corporation, Inc. (“Maxim”) expected at any time.
4. As the instant declaratory judgment action involves a dispute over insurance coverage owed or not owed to Maxim in the underlying case and whether Westfield’s policy of insurance covers any judgment against Maxim, Westfield requires that final judgment before it can amend its complaint.

5. The Court in the underlying case has yet to enter its final judgment against Maxim, but judgment is expected shortly.

6. As such, Westfield requests that this Honorable Court grant Westfield an additional thirty days, through November 16, 2016, to amend its complaint.

7. Westfield's counsel sought the agreement of Maxim's counsel on October 11, 2016, but has not, as of the time of filing, received a response.

WHEREFORE, the Plaintiff, Westfield Insurance Company, prays that this Honorable Court enter an order granting it leave to file an amended complaint by November 16, 2016, and for such other and further relief as this Court deems fair and just under the circumstances.

Respectfully submitted,
LINDSAY, RAPPAPORT & POSTEL, LLC

By: /s/ Lauren E. Rafferty
Attorney for Westfield Insurance
Company

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